

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF VIRGINIA**
Richmond Division

IN RE:)	
)	
BRADLEY WILLIAM LANG)	Case No. 16-32482-KLP
)	Chapter 13
Debtor)	

MOTION FOR HARDSHIP DISCHARGE

COMES NOW the Debtor, by counsel, and for Debtor's Motion for a Hardship Discharge, states as follows:

1. On or about May 7, 2016, the Debtor filed a petition under Chapter 13 of the Bankruptcy Code, a Chapter 13 plan was subsequently confirmed.
2. The Debtor divorced in 2019 and the Debtor lost his spouse's income of \$2,080 per month gross. The Debtor has also lost his health insurance through his spouse's employer and now he has no health insurance. The Debtor now has a \$4,000 per month support obligation.
3. No payments have been made to the Chapter 13 Trustee in this case since February 2019 when the Debtor's house was sold and \$19,442.01 was paid to the Trustee from the sales proceeds.
4. The Debtor is self-employed in the flooring business and his business income has decreased from the prior year due to COVID-19.

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Counsel for Debtor

5. The confirmed Chapter 13 Plan in this case was filed as a one percent (1%) dividend to unsecured creditors and to date unsecured creditors have been paid a dividend of 7.57%.

6. Pursuant to paragraph A-4 of the confirmed plan, if the case were liquidated under Chapter 7, the unsecured creditors would receive no dividend on their allowed claims. Thus the value, as of the effective date of the plan, of property actually distributed under the plan on account of each allowed unsecured claim is not less than the amount that would have been paid on such claim if the estate of the Debtor had been liquidated under Chapter 7.

7. Modification of the plan under 11 U.S.C. § 1329 is not practicable because the Debtor is not able to generate sufficient income to cover his basic living expenses.

8. Under 11 U.S.C. § 1328(b), this Court may grant a discharge to a debtor for the reasons set forth herein.

WHEREFORE the Debtor respectfully requests a hardship discharge under 11 U.S.C. § 1328(b) for the reasons set for this in this Motion and for such further relief as this Court deems appropriate.

Respectfully Submitted,

BRADLEY WILLIAM LANG

By Counsel

/s/ James E. Kane
James E. Kane (VSB #30081)
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Counsel for Debtor

CERTIFICATE OF SERVICE

I hereby certify that on February 22, 2021, I will electronically file the foregoing with the Clerk of Court using the CM/ECF system, which will then send a notification of such filing (NEF) to all parties registered to receive notice thereof and to all parties on the attached mailing matrix.

/s/ James E. Kane
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NOTICE OF MOTION

The Debtor has filed a Motion for Hardship Discharge, the issues being more particularly described therein.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If you do not want the court to grant the relief sought in the motion, or if you want the court to consider your views on the motion, then, within thirty (30) days of service of this Notice you or your attorney must:

- File with the court, at the address shown below, a written request for a hearing [or written response pursuant to Local Bankruptcy Rule 9013-1(H)]. If you mail your request for a hearing (or response) to the court for filing, you must mail it early enough so the court will receive it on or before the date stated above, to:

Clerk of Court
United States Bankruptcy Court
701 East Broad Street, Room 4100
Richmond, VA 23219

You must also mail a copy to:

James E. Kane, Esquire
Kane & Papa, P.C.
P.O. Box 508
Richmond, VA 23218

- Attend a hearing to be scheduled by the Court. You will receive a separate notice of hearing. If no timely response has been filed opposing the relief requested, the court may grant the relief without holding a hearing.

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the motion or objection and may enter an order granting that relief.

BRADLEY WILLIAM LANG
By Counsel

/s/ James E. Kane
James E. Kane (VSB #30081)
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/s/ James E. Kane
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Label Matrix for local noticing
0422-3
Case 16-32482-KLP
Eastern District of Virginia
Richmond
Mon Feb 22 15:21:19 EST 2021

UST sms Richmond
Office of the U. S. Trustee
701 East Broad St., Suite 4304
Richmond, VA 23219-1849

United States Bankruptcy Court
701 East Broad Street
Richmond, VA 23219-1888

American InfoSource LP as agent for
Verizon
PO Box 248838
Oklahoma City, OK 73124-8838

Capital One NA
c/o Becket and Lee LLP
PO Box 3001
Malvern PA 19355-0701

(p)JPMORGAN CHASE BANK N A
BANKRUPTCY MAIL INTAKE TEAM
700 KANSAS LANE FLOOR 01
MONROE LA 71203-4774

Credit One Bank Na
Po Box 98873
Las Vegas, NV 89193-8873

Daniel L. Rosenthal
2819 N Parham Rd.
Suite 110
Henrico, VA 23294-4425

Department of the Treasury
Internal Revenue Service
P.O. Box 7346
Philadelphia, PA 19101-7346

(p)INTERNAL REVENUE SERVICE
CENTRALIZED INSOLVENCY OPERATIONS
PO BOX 7346
PHILADELPHIA PA 19101-7346

Jl Walston & Associate
1107 West Main St., Suite 201
Durham, NC 27701-2028

Kohls/Capital One
Po Box 3120
Milwaukee, WI 53201-3120

Professional Restoration Serv.
4965 Cox Rd.
Glen Allen, VA 23060-6296

Professional Restoration Services, Inc.
c/o Daniel L. Rosenthal, Esq.
Law Office of Daniel L. Rosenthal
2819 N. Parham Road #110
Richmond, VA 23294-4425

Seterus
PO Box 1077
Hartford, CT 06143-1077

(p)SETERUS INC
PO BOX 619096
DALLAS TX 75261-9096

Transworld Sys Inc/38
507 Prudential Rd
Horsham, PA 19044-2308

UVA Physician's Group
P.O. Box 9007
Charlottesville, VA 22906-9007

UVA Physicians Group
500 Ray C Hunt Dr.
Charlottesville, VA 22903-2981

Verizon
500 Technology Dr
Suite 500
Weldon Spring, MO 63304-2225

Virginia Emergency Physicians
1602 Skipwith Road
Henrico, VA 23229-5205

Bradley William Lang
38 Kennon Road
Mineral, VA 23117-3858

James E. Kane
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1313 East Cary Street
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Richmond, VA 23218-0508

Suzanne E. Wade
341 Dial 877-996-8484 Code 2385911
7202 Glen Forest Drive, Ste. 202
Richmond, VA 23226-3770

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified
by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g) (4).

Chase Records Center
Attn: Correspondence Mail
Mail Code LA4-5555
700 Kansas Lane
Monroe, LA 71203

IRS
P.O. Box 21126
Philadelphia, PA 19114

(d)Internal Revenue Service
Kansas City, MO 64999-0002

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(u)Federal National Mortgage Association (' (du)Federal National Mortgage Association ((u)JPMorgan Chase Bank, National Association

End of Label Matrix
Mailable recipients 23
Bypassed recipients 3
Total 26